

IN THE COMMON PLEAS COURT OF FRANKLIN COUNTY, OHIO

Kegler Brown Hill & Ritter Co., L.P.A. :

Plaintiff, :

v. :

Carlo M. Croce, M.D., :

Defendant. :

Case No. 20CV3954

Judge Frye

FINAL JUDGMENT

Claims and defenses in this case came on for trials separately before the court, and before a jury. The jury rendered its verdict on October 31, 2022 on Count One of the complaint for breach of contract, and awarded damages of \$923,445.51 to plaintiff Kegler Brown Hill & Ritter Co., L.P.A. Counts Two and Three of the complaint are duplicative of Count One and are therefore **dismissed**. On November 21, 2022 the court tried the equitable defense of recoupment without a jury. For the reasons set forth in the court's Post-Trial Decision filed November 30, 2022, the jury's verdict is not reduced by defendant's recoupment defense. The recoupment defense is hereby **dismissed**. No other claims or defenses remain pending.

Pursuant to R.C. 1343.03(A), plaintiff is entitled to prejudgment interest at the statutory rate of 4% for unpaid invoices that became due in 2017 and 2018, in the total amount of \$175,197.29.

Accordingly, **Final Judgment** is hereby rendered in favor of Kegler Brown Hill & Ritter Co., L.P.A., and against Carlo M. Croce, M.D. in the total amount of **One Million, Ninety-eight Thousand, Six Hundred Forty-two dollars and 80 cents (\$1,098,642.80)** plus interest from and after Judgment. Court costs are taxed against the defendant.

*** THIS IS A FINAL, APPEALABLE ORDER. ***

IT IS SO ORDERED.

Franklin County Court of Common Pleas

Date: 12-08-2022
Case Title: KEGLER BROWN HILL & RITTER CO LPA -VS- CARLO M CROCE
Case Number: 20CV003954
Type: JUDGMENT ENTRY

It Is So Ordered.



/s/ Judge Richard A. Frye

Court Disposition

Case Number: 20CV003954

Case Style: KEGLER BROWN HILL & RITTER CO LPA -VS- CARLO
M CROCE

Case Terminated: 05 - Jury Trial

Final Appealable Order: Yes